

Message Text

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PAGE 01 MONTRE 01266 261637Z
ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 EB-08 AF-10 ARA-10 EA-10
NEA-11 CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00
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FM AMCONSUL MONTREAL
TO SECSTATE WASHDC 701

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FROM USREP DOWNS/ICAO

E.O. 11652: NA
TAGS: PORG, ICAO
SUBJECT: ICAO: NEW PROCEDURE FOR SELECTION OF DIRECTORS, AND LEGAL
EFFECTS

REF: STATE 148666

1. ICAO COUNCIL, AFTER THREE SESSIONS OF ACRIMONIOUS DEBATE, VOTED
JUNE 22 TO ADOPT NEW PROCEDURES FOR SELECTION OF BUREAU DIRECTORS.
DRAFT PROPOSED BY 12 LDC'S (IN DISCUSSION PAPER ON CWP 6699 WAS
ADOPTED WITH MINOR CHANGES. VOTE WAS 21-2 (US, JAPAN) - 6 (UK,
AUSTRALIA, CANADA, FINLAND, FRG, ITALY) - 1 ABSENT (INDIA).

2. USREP FIRMLY OPPOSED ACTION TAKEN, OUT OF OUR BELIEF THAT
COUNCIL'S PREROGATIVE IS LIMITED BY ASSEMBLY RESOLUTION A1-8 AND
CHICAGO CONVENTION ARTICLES 54 AND 58. USREP CALLED FOR LEGAL
OPINION FROM ICAO LEGAL BUREAU, WITHOUT AVAIL BY RESON OF
LIMITATION OF DEBATE MOTION WHICH PASSED WITH PLUS
MAJORITY.

3. PAPER WAS REVISED AS FOLLOWS:

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PAGE 02 MONTRE 01266 261637Z

PARA 1: QUOTE... THE COMMISSION SHALL CONSIST OF THE VICE
PRESIDENTS OF THE COUNCIL, THE FIRST OF WHOM SHALL ACT AS CHAIRMAN;
THE CHAIRMEN OF THE AIR TRANSPORT, FINANCE, JOINT SUPPORT AND UNLAWFUL

INTERFERENCE COMMITTEES AND THE WORKING GROUP ON CONDITIONS
OF SERVICE. THE SYG SHALL SERVE AS THE SECRETARY TO THE
COMMISSION. UNQUOTE. REFERENCE TO SEVEN MEMBERS OF COUNCIL WAS

DELETED.

PARA 2 WAS UNCHANGED.

PARA 3: MINOR DELETION OF WORDS QUOTE: AS EQUALLY UNQUOTE.

PARA 4: QUOTE: THE LIST SHALL BE COMMUNICTED TO THE COUNCIL MEMBERS IN SUFFICIENT TIME BY THE SYG, BEFORE THE LIST, IN ORDER OF PRIORITY OF CANDIDATES, IS SUBMITTED TO A MEETING OF THE COUNCIL FOR SELECTION. THEREAFTER, THE SYG SHALL TAKE STEPS TO APPOINT THE SUCCESSFUL CANDIDATE IN ACCORDANCE WITH THE EXISTING PROCEDURE. UNQUOTE: PROVISION FOR SECRET BALLOT WAS ELIMINATED.

4. ACTION SUGGESTED: DEPT MAY WISH TO CONSIDER WHETHER ACTION IS IN FACT ILLEGAL, AND IF SO, WHAT ACTIONS US SHOULD TAKE REGARDING ICAO IMPLEMENTATION OR POSSIBLE RECOURSE. WE HOPE ANY ACTION PROPOSED WILL BE BASED ON FURTHER CONSULTATION WITH US MISSION.
HARPER

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Message Attributes

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